REMARKS

Claims 1, 4, 5 and 12 have been amended. Claims 2, 3 and 11 have been cancelled. Please charge any fees necessary for entry of this Amendment to our Deposit Account No. 03-0315.

The Examiner has rejected applicant's claim 12 under 35 USC §102(b) as being unpatentable over the McKain et al. (WO 96/26600) reference. The Examiner has also rejected applicant's claims 1-4 and 11 under 35 USC §103(a) as unpatentable based on the McKain, et al. reference in view of the Johnson, et al. (US 6,163,338) patent. Claim 5 has been rejected under 35 USC §103(a) as unpatentable based on the latter two references taken with the Matsui, et al. (US 6,674,955) patent. The Examiner has found claims 6-10 to be allowable. Applicant cancelled claims 2-3 and 11, thereby obviating the Examiner's rejection with respect to these claims. With respect to applicant's independent claims 1 and 12, as amended, and their respective dependent claims, the Examiner's rejections are respectfully traversed.

Applicant's independent claim 1 has been amended to better define applicant's invention. Specifically, independent claim 1 has now been amended to incorporate the features of the allowed claim 6, and now recites a recording apparatus comprising input means for inputting a moving image signal, instruction means for instructing a recording start and a recording stop, a recording medium interface adapted to record on a recording medium a preceding moving image signal inputted in a first predetermined period immediately before the recording start instruction, a main moving image signal inputted in a period from the recording start instruction to the recording stop instruction and a succeeding moving image signal inputted in a second predetermined period immediately after the recording stop

instruction, the recording medium interface recording the preceding moving image signal, the main moving image signal and the succeeding moving image signal as one moving image stream, and generating means for generating play list data according to the recording operation of the moving image signal by the recording means, the play list data being used for controlling a reproducing process of the moving image stream recorded on the recording medium so as to inhibit reproducing of the preceding moving image signal and the succeeding moving image signal, and reproduce the main moving image signal.

The Examiner has acknowledged that the prior art does not teach or suggest certain of the features of claim 6 and, in particular, the feature of "play list data being arranged to control a reproducing process of one moving image stream so as to inhibit reproducing of moving image signals of a first predetermined period from a head of the moving image stream to the recording start instruction and a second predetermined period from the recording stop instruction to an end of the moving image stream, and reproduce a moving image signal of a period other than the first and second predetermined periods of the moving image stream, said recording means recording the play list generated by said generating means on the recording medium." These features are now incorporated in applicant's amended independent claim 1, which recites recording a "preceding moving image signal" corresponding to the first predetermined period of claim 6 and a "succeeding moving image signal" corresponding to the second predetermined period of claim 6, and a play list data used for controlling the reproducing process so as to inhibit reproducing the preceding and succeeding moving images signals corresponding to reproducing the moving image signal in other than the first and second periods of claim 6. Accordingly, applicant's amended independent claim 1, and its

respective dependent claims, are patentable over the McKain et al. reference and Johnson et al. patent for the same reasons as claim 6 was found patentable over these references.

Applicant's independent claim 12 has been amended to clearly recite that the recording apparatus of the present invention is arranged to include an input means for inputting a moving image signal, instruction means for instructing a recording start and a recording stop, recording means for recording on a recording medium a moving image stream including main moving image data inputted in a period from the recording start instruction to the recording stop instruction; and generating means for generating a play list data according to the recording operation of the moving image data by said recording means, the play list data being used for controlling the reproducing process of the moving image stream recorded on the recording medium so as to reproduce the main moving image signal in the moving image stream, the generating means updating the play list data in response to recording of new moving image stream so as to reproduce successively the main moving image data included in a plurality of moving image streams recorded on the recording medium prior to the new moving image stream and the main moving image data included in the moving image stream.

The construction recited in applicant's amended claim 12 is not taught or suggested by the McKain et al. reference. In particular, the Examiner has argued that McKain teaches a recording apparatus comprising a play list generating means (fig. 3 indicator 36; p. 14 lines 13-16) for generating and updating a play list for controlling reproduction of the moving image data (p. 15 Table I, p. 14, lines 13-16, p. 15, lines 1-4).

Applicant has reviewed the passages of McKain, et al. cited by the Examiner and submits that there is no teaching or suggestion in these passages of generating a play list data

according to the recording operation of the moving image data, and of updating the play list data in response to recording of new moving image stream. In particular, page 14, line 13 to page 15, line 4 of the McKain et al. reference disclose editing operations of the recording device and teach that the recording and editing of clips is managed by a computer program on the main processor of the recorder, wherein three kinds of lists, including a "clip list," are used to manage instances of recorded clips. In particular, McKain et al. discloses that each clip is assigned a number after being recorded, and that the clip list created in the editing operations includes available active recorded clips automatically organized in ascending order by clip number, as shown in Table I. *See also*, page 17, lines 9-10 ("When recording stops, each clip automatically receives a unique identifying number.") Thus, the McKain, et al. reference only discloses organization of already recorded clips in a "clip list" by ascending clip number, and does not teach or suggest generating play list data or updating play list data in accordance with the recording operation.

Moreover, there is no teaching or suggestion in McKain et al. of the play list data being used for controlling the reproducing process of the moving image stream and updating the play list data so as to reproduce successively the main moving image data included in a plurality of moving image streams recorded prior to the new moving image stream and the main moving image data included in the new moving image stream. Rather, McKain et al. teaches organizing available recorded clips by clip number in a clip list, and there is no teaching or suggestion of the clip list controlling the reproducing process or of updating the clip list so that the image data recorded prior to the new moving image stream and the image data in the new moving image stream are reproduced successively. There is, likewise, no disclosure or suggestion in the McKain, et al. reference as to updating a sequence play list,

which provides a programmable list of events and recorded tracks controlled by each event, so as to reproduce successively the main moving image data recorded prior to the new image data stream and the main moving image data included in the new moving image stream. Instead, clips in McKain, et al. are allowed to be assigned or inserted into any event. See, page 17, lines 18-20.

Accordingly, applicant's amended independent claim 12, which recites generating a play list data according to the recording operation of the moving image data by the recording means, the play list data being used for controlling the reproducing process of the moving image stream recorded on the recording medium so as to reproduce the main moving image signal in the moving image stream, the generating means updating the play list data in response to recording of new moving image stream so as to reproduce successively the main moving image data included in a plurality of moving image streams recorded on the recording medium prior to the new moving image stream and the main moving image data included in the new moving image stream, patentably distinguishes over the McKain, et al. reference. Moreover, there is nothing added in the Johnson et al. or the Matsui et al. references to change this conclusion.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

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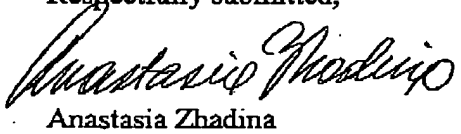
Respectfully submitted,



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